

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In Re: § § **Case No. 10-30227-KKB-11**
MARHABA PARTNERS, LTD. § §
Debtor. § §

**WITNESS AND EXHIBIT LIST OF CITY BANK
FOR HEARING ON CITY BANK'S MOTION FOR RELIEF FROM STAY
SCHEDULED FOR APRIL 26, 2010**

TO THE HONORABLE KAREN K. BROWN, U.S. Bankruptcy Judge:

UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF TEXAS HOUSTON DIVISION	
Main Case No: 10-30227-KKB-11	Name of Debtor: Marhaba Partners, Ltd.
Adversary No:	Style of Adversary:
Witnesses:	
1. Scott Blount, Sr. Vice President, City Bank	Judge: Karen K. Brown
2. David Lucyk	Courtroom Deputy:
3. David Ambrose	Hearing Date: April 26, 2010
	Hearing Time: 9:30 a.m.
	Party's Name: City Bank
	Attorney's Name: David R. Langston and M. Andrew Stewart
	Attorney's Phone: 806-765-7491
	Nature of Proceeding: Motion For Relief From Stay

City Bank reserves the right to amend this Witness List and to call other witnesses as may be necessary for rebuttal or impeachment purposes. City Bank also reserves the right to call any witnesses designated by opposing counsel.

EXHIBITS

City Bank discloses that it may introduce the following exhibits:

Ex. #	Description	Offered	Objection	Admitted/ Not Admitted	Disposition
1.	Promissory Note dated April 24, 2008 in the amount of \$10,850,000.00				
2.	Deed of Trust dated April 24, 2008				
3.	Loan Agreement dated April 24, 2008				
4.	Loan Modification Agreement dated July 15, 2009				
5.	UCC Financing Statement dated April 29, 2008				
6.	Loan History Record				
7.	Debtor's First Preliminary Budget proposed on January 25, 2010				
8.	March 18, 2010 Cash Collateral Budget				
9.	Debtor's Final Approved Budget on Interim Basis				
10.	Debtor's Compiled Financial Statements dated December 31, 2008				
11.	Owner Account Balance Analysis Summary, (Including Operating Report and Rent Roll For Apartment Complex				
12.	Debtor's Pre Petition Budgets and Balance Sheets For McCue Apartments from November 2009				
13.	December bills sent to City Bank by Debtor on February 5, 2010				
14.	City Bank Account Summary dated February 23, 2010				
15.	Debtor's January 2010 Invoices				
16.	January 2010 bank statement on DIP Account				
17.	February 2010 bank statement on DIP Account				
18.	Statement of Collections of Marquee West Apartments for February				
19.	Owner Income and Expense Statement on Olympus/Nelson Property Mgt Co. through Janauary 2010				
20.	Statement of Collections Marquee West Apartments for January 2010				
21.	Income and Expense Statement for McCue Apartments for January 2010				
22.	Rent Roll Report for January 2010				
23.	E-mail from Steve Weyrich to David				

	Lucyk dated February 15, 2010 discussing budgeted income				
24.	Debtor's February 2010 Invoices				
25.	February Rent Roll for McCue and January and February Income and Expense Statements for McCue				
26.	2009 Property Tax Statement				
27.	Expense Reimbursable Information				
28.	E-mail correspondence regarding reimbursable expenses				
29.	Listing of January Bills Paid				
30.	Monthly Operating Report for January 2010				
31.	Monthly Operating Report for February 2010				
32.	Amended Schedules dated February 25, 2010 (Judicial Notice)				
33.	Amended Statement of Financial Affairs dated February 25, 2010 (Judicial Notice)				
34.	Correspondence regarding Debtor's recent attempts to secure refinancing of real estate				
35.	Appraisal Report dated March 23, 2010				

City Bank reserves the right to amend this Exhibit List and to introduce other exhibits as may be necessary for impeachment purposes. City Bank also reserves the right to introduce exhibits designated by opposing counsel.

Respectfully Submitted,

MULLIN HOARD & BROWN, LLP
 David R. Langston, SBN: 11923800
 (Southern Dist. Bar No. 9489)
 M. Andrew Stewart, SBN: 24037554
 (Southern Dist. Bar No. 1065805)
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 Lubbock, Texas 79408-2585
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 By: /s/ M. Andrew Stewart
 M. Andrew Stewart
Attorneys for City Bank

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing Witness and Exhibit List was sent regular via ECF and/or U.S. Mail, postage prepaid, on this 22nd day of April, 2010, to the following listed parties in interest:

1. Marhaba Partners, Ltd.
1499 Potomac
Houston, Texas 77057
Debtor
2. Liz Freeman
PORTER & HEDGES LLP
1000 Main Street, 36th Fl.
Houston, Texas 77002
Attorney Debtor
3. Shu Mak
City Bank Texas
10080 Bellaire Blvd., Suite 101
Houston, TX 77072
Creditor

By: /s/ M. Andrew Stewart
M. Andrew Stewart